

SEALED**UNITED STATES DISTRICT COURT**

for the

Eastern District of California

FILED

Jul 21, 2023

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America

v.

Christos Mavrokelos

Case No. 1:23-mj-00086-EPG

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January through February 2023 in the county of Fresno in the
Eastern District of California, the defendant(s) violated:*Code Section*

18 USC 1029(a)(1)

Offense Description

Use of a counterfeit access device

This criminal complaint is based on these facts:

See attached affidavit, which is incorporated by reference as though fully set forth herein.

☒ Continued on the attached sheet.*Complainant's signature*

Adam Yavner, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: Jul 21, 2023*Judge's signature*City and state: Fresno, California

Hon. Erica P. Grosjean, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Adam Yavner, being duly sworn, depose and state as follows:

I. INTRODUCTION

1. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since 2019. I am a graduate of the FBI's Basic Field Training Program in Quantico, Virginia, and have been involved in several investigations regarding violations of federal law, including financial fraud. I am currently assigned to the FBI's Office in Fresno, California, where I am a member of the narcotics and violent crime squad. Prior to joining the FBI, I was United States Postal Inspector and New York City Police Officer.

2. This Affidavit is made in support of a federal criminal complaint and arrest warrant charging Christos Mavrokelos with using a counterfeit access device in violation of 18 U.S.C. § 1029(a)(1). The facts in this Affidavit come from my personal observations, information obtained from other law enforcement personnel and reviewing their reports and evidence, and my training and experience. This Affidavit is meant to show that there is probable cause for the requested complaint and arrest warrant. It does not set forth all of my knowledge about the case.

II. APPLICABLE LAW

3. Whoever knowingly, and with the intent to defraud, produces, uses, or traffics in one or more counterfeit access devices, if the offense affects interstate or foreign commerce, shall be imprisoned up to ten years and fined up to \$250,000. 18 U.S.C. §§ 1029(a)(1) and (c)(1)(A)(i). An access device includes any card, plate, code, account number, or other means of account access that can be used to obtain anything of value. 18 U.S.C. § 1029(e)(1). A counterfeit access device includes an identifiable component of an access device. 18 U.S.C. § 1029(e)(2).

III. STATEMENT OF PROBABLE CAUSE

4. Christos Mavrokelos is a suspect in multiple cases that have been reported to local police departments over the past year where debit card skimming devices were found on bank ATMs and unauthorized cash withdrawals totaling thousands of dollars were made using victims' California Electronic Benefits Transfer ("EBT") debit card information.

1 5. Based on my training and experience, skimming devices are devices that can be
2 surreptitiously installed on debit card readers, such as bank ATMs, to steal debit card information. The
3 information is then encoded onto other cards that can be used to make unauthorized cash withdrawals
4 and purchases.

5 6. EBT is the system used in California, and forty-nine other states, to distribute public
6 assistance benefits. The benefits are deposited onto debit cards issued to the beneficiaries through the
7 Unites States mail. The beneficiaries can then use the debit cards to make cash withdrawals from bank
8 ATMs and purchases at stores.

9 7. Beginning in April 2022, the Clovis Police Department (“CPD”), Madera Police
10 Department, and Fresno Police Department recovered skimming devices from Bank of America ATMs
11 in Clovis, Madera, and Fresno, California. The California Department of Justice found fingerprints on
12 the skimming devices. The fingerprints were run through law enforcement databases and matched to
13 Mavrokelos’ fingerprints, which were previously collected when he was arrested on burglary-related
14 charges by the Campbell Police Department in Campbell, California, in July 2021.

15 8. Then, in January and February 2023, Mavrokelos was connected to several instances
16 where unauthorized cash withdrawals totaling over \$8,000 were made using victims’ EBT debit card
17 information in Clovis. For example, on January 2, 2023, victim J.G. filed a police report alleging that
18 her EBT debit card information had been used the day before, on January 1, 2023, to make an
19 unauthorized cash withdrawal of \$850 at a Wells Fargo ATM in Clovis. J.G. provided the police with a
20 printout of the unauthorized withdrawal from California’s Statewide Automated Welfare System
21 (“CalSAWS”) websites, which allows EBT beneficiaries to log-in to their accounts and view their
22 transaction histories.

23 9. J.G. still had possession of her EBT debit card and told the police that she did not give
24 anyone permission to use her debit card information.

25 10. On January 3, 2023, victim C.L. filed a police report alleging that her EBT debit card
26 information had been used the same day as was J.G.’s debit card information, on January 1, 2023, to
27 make an unauthorized cash withdrawal of \$800 at the same Wells Fargo ATM in Clovis. C.L. provided
28 the police with a printout of the unauthorized withdrawal from the CalSAWS websites.

1 11. C.L. still had possession of her EBT debit card and told the police that she did not give
2 anyone permission to use her debit card information.

3 12. I compared the printouts of the unauthorized cash withdrawals that J.G. and C.L.
4 provided to the police, and I determined the withdrawals were made within ten minutes of each other.

5 13. From February 1, 2023, through February 9, 2023, victims I.G., M.E., L.R., B.B., and
6 M.R. filed police reports alleging that their EBT debit card information had been used on the same day,
7 on February 1, 2023, to make unauthorized cash withdrawals totaling more than \$7,000 at the same
8 Wells Fargo ATM in Clovis. They provided the police with printouts of the withdrawals from the
9 CalSAWS website.

10 14. I.G., M.E., L.R., B.B., and M.R. still had possession of their EBT debit cards and told the
11 police that they did not give anyone permission to use their debit card information.

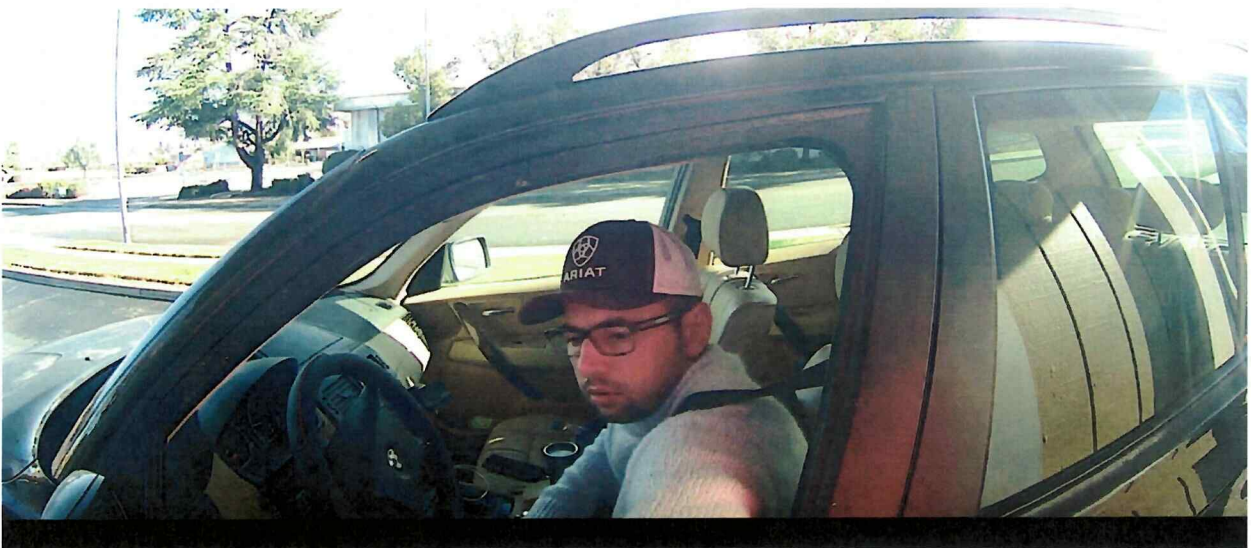
12 15. I compared the printouts of the unauthorized cash withdrawals that I.G., M.E., L.R., B.B.,
13 and M.R. provided to the police, and I determined the withdrawals were made within fifteen minutes of
14 each other.

15 16. The CPD obtained surveillance video of the unauthorized cash withdrawals for J.G., C.L.,
16 I.G., M.E., L.R., B.B., and M.R. from Wells Fargo. I reviewed the surveillance video and compared it
17 with a booking photograph of Mavrokelos that was taken by the Campbell Police Department after his
18 arrest in July 2021. I concluded that Mavrokelos made the unauthorized cash withdrawals. The
19 following are examples of the surveillance video and Mavrokelos' booking photograph:
20
21
22
23
24
25
26
27
28

January 1, 2023, Unauthorized Cash Withdrawal Using J.G.'s Information



January 1, 2023, Unauthorized Cash Withdrawal Using C.L.'s Information



February 1, 2023, Unauthorized Cash Withdrawal Using I.G.'s Information



February 1, 2023, Unauthorized Cash Withdrawal Using M.E.'s Information



February 1, 2023, Unauthorized Cash Withdrawal Using L.R.'s Information



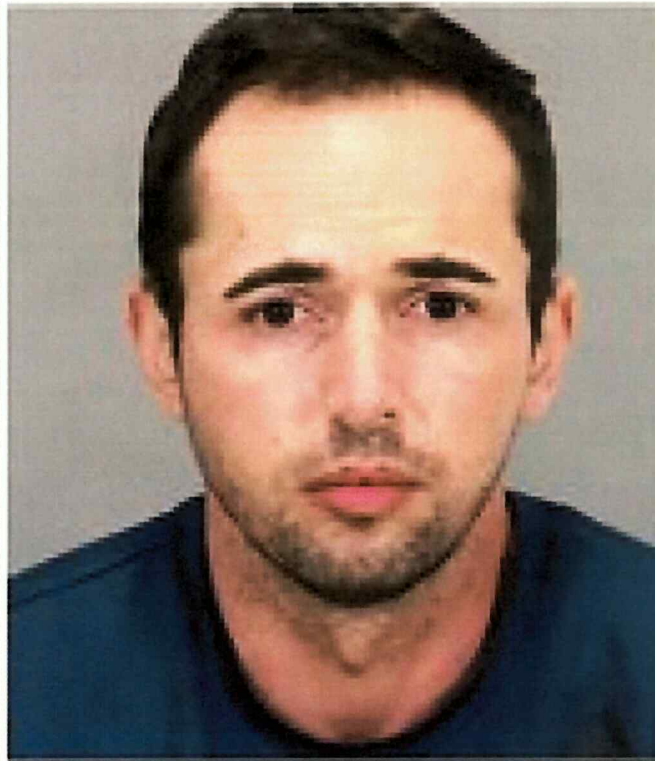
February 1, 2023, Unauthorized Cash Withdrawal Using B.B.'s Information



February 1, 2023, Unauthorized Cash Withdrawal Using M.R.'s Information



Booking Photograph of Mavrokelos Taken By Campbell Police Department




17. On July 21, 2023, I used the Federal Deposit Insurance Corporation's ("FDIC") online Bank Find tool to search for Wells Fargo. I confirmed that Wells Fargo was insured by the FDIC when the above-referenced unauthorized cash withdrawals were made using the victims' EBT debit card information. This tool is available at: <https://banks.data.fdic.gov/bankfind-suite/bankfind>.

18. On July 20, 2023, I also reviewed the Wells Fargo website. I confirmed that Wells Fargo is headquartered in San Francisco, California, and that the bank has operations throughout the country.

IV. CONCLUSION

19. I submit this evidence establishes probable cause to believe that Mavrokelos used a counterfeit access device in violation of 18 U.S.C. § 1029(a)(1). Specifically, Mavrokelos' fingerprints were found on debit card skimming devices at bank ATMs in Clovis, Madera, and Fresno. He was then captured on surveillance video making unauthorized cash withdrawals at a bank ATM in Clovis totaling over \$8,000 using victims' EBT debit card information even though the victims still had possession of their debit cards. Therefore, based on my training and experience, I believe that Mavrokelos stole the victims' EBT debit card information through the use of skimming devices, encoded the victims' debit card information onto other debit cards, and then used the other debit cards to make the withdrawals. I confirmed that the unauthorized withdrawals were made at an ATM belonging to a federally insured bank that has operations outside of California. Therefore, I request that the Court issue a federal complaint and arrest warrant for Mavrokelos for using counterfeit access devices in violation of 18 U.S.C. § 1029(a)(1).

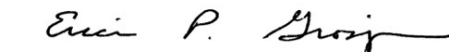
Respectfully submitted:


Adam Yavner
FBI Special Agent

Approved as to form:

/s/ Joseph Barton
Joseph Barton,
Assistant United States Attorney

Affidavit submitted by email and pdf and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4(d) and 4.1 before me this 21 day of July 2023:


Honorable Erica P. Grosjean
United States Magistrate Judge